

FARNAN LLP

October 24, 2013

VIA E-FILING

The Honorable Sue L. Robinson
J. Caleb Boggs Federal Building
844 N. King Street
Room 4124
Unit 31
Wilmington, DE 19801-3568

Re: **Halpert v. Zhang**
(C.A. 12-cv-1339-SLR)

Dear Judge Robinson:

We regret burdening Your Honor with this letter and will be succinct. The parties are required to submit a proposed scheduling order this morning. (D.I.32). After refusing Plaintiff's offer to draft the proposed order, Defendants prepared the document and have since insisted on inserting their position on discovery at the beginning of the proposed schedule while refusing to include Plaintiff's position concerning discovery.

Briefly, Plaintiff believes that this action can be promptly resolved without discovery pursuant to his motion for judgment on the pleadings. (D.I. 34). Because Defendants may escape liability in this case by the passage of time as a result of an imminent "going private" transaction, Plaintiff is willing to forgo discovery and all his other rights in favor of the Court promptly ruling on that dispositive motion.

We are available at the Court's convenience should Your Honor have any questions.

Respectfully submitted,

/s/ Brian E. Farnan

Brian E. Farnan

cc: Counsel of Record (*via* E-Mail)